

REMARKS

Reexamination and reconsideration in light of the foregoing amendments and the following remarks is respectfully requested.

Claims 50-60 are pending in this application. Claims 1, 21, 23, 24, 26, 31, 34, 35, 37, 39-41 and 43-49 have been canceled without prejudice or disclaimer. New claims 50-60 have been added. No new matter has been added to the application.

Applicant notes the Examiner's consideration of the information cited in the Information Disclosure Statement filed May 26, 2000, as acknowledged in the Office Action Summary. Applicant further notes the Examiner's acknowledgment of Applicant's claim of foreign priority under 35 U.S.C. §119 and receipt of the certified priority document.

Applicant notes the Examiner's comments regarding the Notice of Draftperson's Patent Drawing Review. Replacement drawing pages for Figs. 1-11 are attached to this response. A label identifying the page as a replacement page has been placed on the back of each drawing page. The label further identifies the Application No. and filing date of the application. It is believed that the changes made to the drawings overcome the informalities noted by the Draftperson. It is respectfully requested that the drawings corrections be approved and entered into the file.

Claims 48 and 49 have been objected to because of informalities. The claims have been canceled, rendering the objection moot.

Claims 1, 21, 23, 24, 26, 31, 34, 35, 39-41 and 43-49 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description and enablement requirements. The claims have been canceled thereby rendering the rejection moot.

Claims 1, 21, 23, 24 26, 30-32 and 34-49 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The claims have been canceled rendering the rejection moot.

New base claims 50 and 58 are presented for examination and overcome the concerns of the Examiner. With respect to new claim 53, on page 5 of the final Office Action, the Examiner asserted that Figure 2 does not clearly show the amino acid residues intended to meet the limitation of "at the surface of the molecule" or "in the region of the interface between the L1 domain and the Cys-rich domain". Applicant disagrees with the Examiner because these regions within Figure 2 would have been clearly understood by a skilled addressee. Nevertheless, in

Application No. 09/555,275

order to expedite prosecution, Applicant has not used these phrases in claim 53. New claim 53 simply refers to modifying the compound identified such that binding to one or more amino acid residues depicted in Figure 2 is enhanced.

Accordingly, it is believed that the base claims, as presented, comply with the first and second paragraphs of 35 U.S.C. § 112 and are in allowable condition along with the claims dependent thereon.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees under 35 U.S.C. § 1.17 and due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT, WILL & EMERY LLP


Cameron K. Weiffenbach

Registration No. 44,488

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 CKW:jdj
Facsimile: (202) 756-8087
Date: November 19, 2004